

United States District Court  
Southern District of New York

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DONNELL TAYLOR

Plaintiff,

-against-

07 Civ. 4129 (DAB)

ORDER

CITY OF NEW YORK, et al.,

Defendants.

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DEBORAH A. BATTS, United States District Judge.

The Court's Records indicate that the Second Amended Complaint in this Action was filed on March 12, 2008. However, as of the date of this Order, Defendant Thomas Cozart has not yet been served. Accordingly, Plaintiff is hereby ORDERED TO SHOW CAUSE why his Second Amended Complaint against Defendant Cozart should not be dismissed for failure to prosecute. See Lyell Theatre Corp. v. Loews Corp., 682 F.2d 37, 42 (2d Cir. 1982) (holding that a district court's authority to dismiss an action for plaintiff's failure to prosecute "cannot seriously be doubted"). If Plaintiff fails by August 11, 2008 to show cause, Plaintiffs' Complaint against Defendant Cozart shall be dismissed for failure to prosecute. Plaintiffs' showing of good cause, if any, shall be made by affidavit.

SO ORDERED.

Dated: New York, New York  
July 11, 2008



Deborah A. Batts  
United States District Judge

